

CHANGE REQUEST COVER SHEET

Change Request Number: 10-25

Date Received: 10/16/2009

Title: Updates to Space Acquisition Guidance

Name: Susan Freericks

Phone: 202-267-8374

Policy OR Guidance: Guidance

Section/Text Location Affected: Real Estate Guidance Sections 2.2.5, 2.2.6, 2.4.7, 2.6.7 and 2.6.11

Summary of Change: Updating the space guidance information for the Real Estate Contracting Officers.

Reason for Change: Need to update based on updated practices and regulations.

Development, Review, and/or Concurrence: AGC-520, ALO-200, Logistics Service Area Real Estate Division

Target Audience: Real Estate Contracting Officers

Potential Links within FAST for the Change: N/A

Briefing Planned: No

ASAG Responsibilities: None

Potential Links within FAST for the Change: N/A

Links for New/Modified Forms (or) Documents (LINK 1) [null](#)

Links for New/Modified Forms (or) Documents (LINK 2) [null](#)

Links for New/Modified Forms (or) Documents (LINK 3) [null](#)

SECTIONS REMOVED:

- Real Estate Guidance :
- Section 2.6.11 : Space Safety and Environmental Checklist** [\[Old Content\]](#)
- Real Estate Guidance :
- Section 2.6.7 : Space Action Summary** [\[Old Content\]](#)
- Real Estate Guidance :
- Section 2.6.13 : Facility Security Checklist** [\[Old Content\]](#)

SECTIONS EDITED:

- Real Estate Guidance :
- Section 2.2.5 : Advertising/Market Survey and Appraisal** [\[Old Content\]](#)[\[New Content\]](#)
[\[RedLine Content\]](#)
- Real Estate Guidance :
- Section 2.4.11 : Appendix K: Supplemental Lease Agreement (SLA)** [\[Old Content\]](#)[\[New Content\]](#) [\[RedLine Content\]](#)
- Real Estate Guidance :
- Section 2.4.7 : Appendix G: Security** [\[Old Content\]](#)[\[New Content\]](#) [\[RedLine Content\]](#)
- Real Estate Guidance :
- Section 2.2.6 : Request for Offers/Solicitation for Offers** [\[Old Content\]](#)[\[New Content\]](#)
[\[RedLine Content\]](#)

SECTIONS REMOVED:

- Real Estate Guidance :**
- Section 2.6.11 : Space Safety and Environmental Checklist .**

FAA SAFETY AND ENVIRONMENTAL CERTIFICATION CHECKLIST	
Building Name:	_____
Street Address:	_____
City:	_____ , State: _____ Zip Code _____
Approximate outside dimensions of building:	_____
Square footage of building _____, Square footage of proposed space _____	
Total number of floors in building _____, Floors proposed space is on _____	
Year Building constructed _____, Year of last major renovation _____	

INSTRUCTIONS: Complete the following information that applies to the building being offered for lease to the Government.

CHECK ALL OF THE FOLLOWING INFORMATION THAT APPLIES:

Security

No Provisions Secure Building Alarm System Guard

Controlled Entry

Other, _____

Emergency Illumination:

In Space offered In corridors In Stairwells

Building structural support

Combustible (Timber, wood, etc.)

Noncombustible (Concrete, steel, masonry, etc.)

Other types of uses present in the building (check all that apply):

Restaurants Storage Manufacturing Other, describe _____

Laboratories Retail Industrial _____

Vertical openings between two or more floor:

Stairs (check one): Open Enclosed with doors

Shafts (check one) Open Enclosed with doors; _____

Other (check one) Open Enclosed with doors; _____

Sprinklers

None Corridors only All but corridors & lobbies Total Building

Other, describe locations _____

Fire fighting capability:

None Fire Extinguishers Standpipes
Other, _____

Fire Alarm:

None Building Alarm (**check all that apply**): Audible Visual
 Automatic Fire Dept. Notification

Smoke Detectors:

None All Corridors Total Building Other,

Wall Interior Finishing in space being offered for lease:

Painted walls of plaster, sheetrock, or masonry Wallpaper or vinyl wall covering
 Cloth or corkboard Wood paneling
Other, _____

Emergency Egress (**Note - attach a sketch of the floor plan that shows the means of egress**)

- Two means of egress from the space offered for lease.
- Exit signs for each route.
- Some or all space offered is above or below grade level

If , so complete the following for applicable stairwells that are a part of the emergency egress routes from above or below grade space offered:

- Fire rated construction Stairwell doors that open in direction of egress
- Discharge Outside or into a protected fire corridor that discharges outside
- Emergency Lighting in Stairwell Stairwell doors have automatic door closers & latch
- All stairwells have adequate handrails

Asbestos:

None Nonfriable:

Locations _____

Friable:

Locations _____

If asbestos is present, an active asbestos management program is in place.

PCB's :

None present:

locations _____

Radon:

None Last test under 4.0 picocuries per milliliter (Date tested & results) _____

Air Quality:

Air quality in space offered meets all EPA guidelines for clean air.

Air quality in space does not meet EPA guidelines for clean air in the following areas: _____

Drinking Water:

Drinking water meets all EPA guidelines for drinking water

Drinking water does not meet EPA guidelines in the following areas: _____

This information provided by the offeror on this form are materiel facts and representations upon which the Government relies upon for making an award. The Government has the right to require remedy if the information is in anyway misrepresented, or inaccurate. The Owner or Authorized representative certifies that all the features described above are in operating order and properly maintained.

OWNER OR AUTHORIZED REPRESENTATIVE NAME AND ADDRESS:

SIGNATURE: _____	DATE: _____

Real Estate Guidance :
Section 2.6.7 : Space Action Summary .

PREPARED BY	DATE	LEASE ACTION SUMMARY	LEASE NUMBER
A. REQUIREMENTS			
NAME OF REQUESTING OFFICE		NAME AND TITLE OF AGENCY REPRESENTATIVE	TELEPHONE NUMBER
OCCUPIABLE SF <i>(Range)</i>	OCCUPANCY DATE	GENERAL DELINEATED AREA	REIMB. WORK AUTHORIZATION
TYPE OF SPACE			" NOT REQUIRED " IN FILE
" OFFICE " WAREHOUSE			
" OTHER <i>(Specify)</i>		NOTIFICATION	SF 81 IN FILE
		DATE	
		ACTION	
		" TELEPHONE CALL " LETTER	" YES

		" OTHER (<i>Specify</i>)		" NO
B. MARKET SURVEY AND NEGOTIATIONS				
1	ADDRESS OF OFFERED SPACE		LOCATION OF OFFERED SPACE	LOCATION IDENTIFIED FROM " REAL ESTATE TRADE PUBLICATION " IN-HOUSE FILE " OTHER (<i>Specify</i>)
	NAME OF PARTY CONTACTED		SUMMARY OF DISCUSSION POINTS <i>(Requirements, Deficiencies, etc.)</i>	
	PARTY'S AFFILIATION WITH OWNER			
	FIRST CONTACT DATE	BY " TELEPHONE " SITE VISIT		
	DATE OF ON-SITE INSPECTION			
	ATTENDEES		NEGOTIATED RESULTS <i>(Include initial and final offer)</i>	
	ACTION	YES	NO	
	SPACE IS AVAILABLE			
	CONSIDER FOR NEGOTIATION			
	OFFER SUBMITTED			
2	ADDRESS OF OFFERED SPACE		LOCATION OF OFFERED SPACE	LOCATION IDENTIFIED FROM " REAL ESTATE TRADE PUBLICATION " IN-HOUSE FILE " OTHER (<i>Specify</i>)
	NAME OF PARTY CONTACTED		SUMMARY OF DISCUSSION POINTS <i>(Requirements, Deficiencies, etc.)</i>	
	PARTY'S AFFILIATION WITH OWNER			

	FIRST CONTACT DATE	BY " TELEPHONE " SITE VISIT	
	DATE OF ON-SITE INSPECTION		
	ATTENDEES		NEGOTIATED RESULTS <i>(Include initial and final offer)</i>
	ACTION	YES	NO
	SPACE IS AVAILABLE		
	CONSIDER FOR NEGOTIATION		
	OFFER SUBMITTED		

FEDERAL AVIATION ADMINISTRATION (4/96)

Page 1 of 2

3	ADDRESS OF OFFERED SPACE	LOCATION OF OFFERED SPACE	LOCATION IDENTIFIED FROM " REAL ESTATE TRADE PUBLICATION " IN-HOUSE FILE " OTHER <i>(Specify)</i>
	NAME OF PARTY CONTACTED	SUMMARY OF DISCUSSION POINTS <i>(Requirements, Deficiencies, etc.)</i>	
	PARTY'S AFFILIATION WITH OWNER		
	FIRST CONTACT DATE	BY " TELEPHONE " SITE VISIT	
	DATE OF ON-SITE INSPECTION		

	ATTENDEES	NEGOTIATED RESULTS <i>(Include initial and final offer)</i>		
	ACTION	YES	NO	
	SPACE IS AVAILABLE			
	CONSIDER FOR NEGOTIATION			
	OFFER SUBMITTED			
IF MORE THAN THREE LOCATIONS SURVEYED, ATTACH SUPPLEMENTAL SHEETS AND CHECK HERE " NUMBER ATTACHED				
C. RATIONALE FOR AWARD			LOCATION NUMBER	
<p>" LOWEST PRICE ACCEPTABLE OFFER. PRICE IS CONSIDERED REASONABLE BASED UPON: <i>(Include market comparables and other data, if available).</i></p>				
<p>" OFFER REPRESENTS GREATEST VALUE TO THE GOVERNMENT <i>(Explain).</i></p>				

D. APPROVAL OF AWARD		
NAME AND TITLE OF CONTRACTING OFFICER	SIGNATURE	DATE

FEDERAL AVIATION ADMINISTRATION (4/96)

Page 2 of 2

Real Estate Guidance :
Section 2.6.13 : Facility Security Checklist .

Facility Security Checklist

The purpose of this checklist is to ensure that the security requirements are considered at the beginning of the space planning process.

- Part I of this checklist helps the LOB client and RECO coordinate with SSE and consider their security requirements.
- Part II outlines the typical types of security requirements for level 1 and 2 facilities.
- Part III provides the type of support the SSE would provide the RECO and LOB as well as a list of regional SSE's.

PART 1 – Establishing the Security Requirements

After the user's requirement is received, the RECO will contact the LOB and SSE to discuss the following questions to begin planning the users security requirements.

1. Questions for the RECO to ask LOB and SSE

- Has the responsible SSE been contacted?
- Has the LOB client budgeted for the security effort?
- Did the LOB work with the SSE to determine the estimated budget for security?
- Has the SSE provided the baseline Facility Security protective measures, which match the SL with the facility?
- If the facility is HIGH risk, as determined by SSE? Did the SSE provide additional "Based on Evaluation" (BOE) security measures?

2. Questions the SSE will need to ask the LOB or RECO

- Who is the LOB client(s)?
- What is the physical address location(s) [if known] of the prospective lease sites?

- What types of FAA work functions will the leased space accommodate/perform?
- Will this be a shared tenant facility? Who are the other tenants? What are the functions of the shared tenant?
- Are there any other government high-risk tenants at the facility being considered?
- How many FAA personnel will there be at the facility?
- What will be the maximum / peak FAA personnel at the facility at shift change?
- Is this is an ATC facility?
- What is the ATC facility level rating?
- If this is an ATC facility will there be childcare (or credit union, other?) offered by FAA at facility?
- Will this be a 24/7 facility?
- What critical areas (defined by 1600.69) will the facility manager need to accommodate? Describe the nature of the critical areas to determine the protective measures needed.
- Will contract guards be required and location of security checkpoint?
- Will a 100 foot parking setback be configured?

3. Information the SSE would be providing to the RECO and LOB

- Determination of the Security Level of the facility
- Determination of the Risk Level based on the location(s) provided by RECO
- Determination of required baseline (and possibly BOE) security protective measures.

PART II – TYPES OF SECURITY REQUIREMENTS FOR DIFFERENT LEVELS

Below is a list of typical security requirements for the various levels of buildings. However each client will have requirements developed based upon an assessment of their needs and types of facility.

Typical SL 2 Security Measures

- Persons at Facility: 11 - 150
- Measures
 - Perimeter: very few
 - Entry: CR's high use doors, ECV, Intercom, Remote Release, Best locks, NRP Hinges
 - Interior: Walls, signage
 - Planning: Administrative (contractor B/G, etc)

Typical SL 1 Security Measures

- Persons at Facility: 1 - 10
- Measures
 - Perimeter: very few
 - Entry: Visitor assessment, Possible Intercom and Remote Release, Best locks, NRP hinges
 - Interior: Walls, signage
 - Planning: Administrative (contractor B/G, etc)

Cost Metrics from FSRM Program

- SL 3 Specialized approx \$1.4M to \$2.9M
- SL 2
 - Without fencing \$52k
 - With fencing \$92k
- SL 1
 - Without fencing \$33k
 - With fencing \$73k

PART III – TYPE OF SUPPORT FROM SSE

Below is a list of the typical areas that an SSE can provide support to the RECO and LOB.

1. Areas of possible SSE Support (may vary depending on complexity and security level)

- SSE role in client planning and budgeting
- SSE(s) role in development of SIR / SFO security requirements (Facility and Personnel)
- SSE role in market survey
- Confirmation of lessor meeting security requirements
- Examination of lessors recommended alternatives
- Support to facility manager where the Security Order could not be met
- SSE provides assistance to facility manager in coordinating with AIN-100 to formalize exceptions to security policy [formal FAA memo process] prior to lease
- SSE provide technical support for RECO if required during negotiations
- SSE role in Facility acceptance
- SSE reviews Lessor's plans

2. SSE Contacts by Region

- AXX – 710's
- AMC - 700
- AWA AIN-100

SECTIONS EDITED:

Section 2.2.5 : Advertising/Market Survey and Appraisal

Old Content: Real Estate Guidance :

Section 2.2.5 : Advertising/Market Survey and Appraisal

Advertising

If advertising is to be accomplished, the RECO shall utilize the publicizing method most likely to result in receipt of offers appropriate to satisfy the specific requirement. The content of the advertisement is at the discretion of the RECO. Advertisements in most cases will be in local newspapers. Advertisements may also be placed and may include commercial trade journals,

FAST Version 01/2010

CR 10-25

p. 12

electronic bulletin boards, and the Commerce Business Daily. Multiple advertising may be utilized if necessary. If advertising the RECO should place in the largest circulation in the geographic area and include placement on days when “Real Estate” Section published.

Advertising is not required when the RECO determines that it is not warranted, or reasonable competition can be achieved. Data from an advertisement or market survey may be used to determine the competitive range.

Market Survey

A market survey is a tool to help the Real Estate Contracting Officer (RECO) determine what “new” space meets the FAA’s needs and requirements. The survey helps the RECO determine the fair market rent for a new lease or a lease renewal, and it determines reasonable rental price. The market survey is essential to the RECO for determining the fair market value of the space/building being leased as well as the fair market rent. This is necessary for both competitive and single source acquisitions.

Some Lines of Business require the development of a business case prior to approving any new space leases. If the customer has not yet received approval for a new office or to relocate an existing office, a limited market survey is appropriate. A limited survey is basic fact finding, and includes gathering data that answers the following questions: 1.) Is space available in the delineated area? 2.) What is the cost per square foot? 3.) What are the general terms in the area? For all new, renewal and small space lease the RECO **must** use the [2.6.12 Space Market Survey Form](#) . This form **must** be placed in the lease contract file starting September 30, 2006.

Prior to initiating a market survey for a new space requirement, the RECO and customer must determine space requirements such as square footage, security, parking, electrical, data/telco and any special build-out requirements. Timeframes must be established for the acquisition of the space and a delineated geographic area must be identified.

Renewal and Small Lease Market Survey

The amount of work required to perform a market survey relates directly to the complexity and size of the lease requirement. For a renewal lease or small lease (3,000 sf or less) a complicated survey is not required, such as a few telephone calls to evaluate market conditions are probably sufficient.

New Lease Market Survey

For all new leases more information is required to ensure the RECO leases space that meets the FAA’s requirements and is the best value to the customer. The following are guidelines for performing a market survey for new . Reminder: you should check with General Services Administration (GSA) to see if government space is available prior to initiating a market survey.

- The RECO should ask the facility manager if he has developed any leads. If so the RECO can follow up on these leads? If possible, physically canvas the delineated area for space

offerings, and listings of competing space, by looking for signs, or looking in the newspaper. A canvas can also be performed by phone if you can't travel to the area. An on-site market survey visit is important in both a competitive and single source acquisitions.

- Talk with other RECOs and review your own files to determine if there have been other recent surveys (e.g. within the last six months) completed in the area that may provide points of contact (brokers, property mgrs, & property owners), leads for buildings with available space, or associated information on rent, operating costs, tenant improvements, etc.
- Talk with other federal agency real estate representatives (GSA, Corps of Engineers, etc.) to see if they have completed recent surveys or lease negotiations in the delineated area that bracket the types of space available and establish a competitive range for rentals.

Once market information has been collected, the RECO must determine a typical range for rents, anticipated operating expenses and tenant improvement allowances for potential space that meets the customer's needs. This information forms the basis for discussions with potential lessors. The market survey determines the price reasonableness of offers that are likely to qualify for an award base upon the FAA requirements. The market survey is also essential to the contracting officer for determination of the fair market value (FMV) of the rent AND the FMV of asset under lease. This is necessary in both competitive and single source acquisitions.

Appraisal

If the RECO needs to acquire an appraisal for a space lease, please see section 1.1.10 Market Survey/Appraisal and associated appraisal forms 1.3.11 Appraisal Forms.

New Content: Real Estate Guidance :

Section 2.2.5 : Advertising/Market Survey and Appraisal

Advertising: If advertising is to be accomplished, the Real Estate Contracting Officer (RECO) shall utilize the publicizing method most likely to result in receipt of offers appropriate to satisfy the specific requirement. The content of the advertisement is at the discretion of the RECO. In most cases, advertisements will be in local newspapers. Also, advertisements may include commercial trade journals, electronic bulletin boards, and the Commerce Business Daily. Multiple advertising may be utilized, if necessary. If the RECO chooses to advertise, the RECO shall place the largest circulation in the geographic delineated area and include placement on the days when the "Real Estate" Section is published.

Advertising is not required when the RECO determines that it is not warranted, or reasonable competition can be achieved. Data from an advertisement or market survey may be used to determine the competitive range.

Market Survey: A market survey is a tool used to help the RECO determine the following when leasing a space:

- the FAA's needs and requirements,
- determines the fair market rental value and the rental price, and
- allows for the determination of the competitive range.

A market survey must be conducted in both competitive and single source space acquisitions for all new, succeeding, renewal or small space lease.

Market Information for a Business Case

Under the Space Council Administrative Space Standard Operating Procedures, all lines of business are required to submit a copy of an approved business case to the RECO for all new administrative space requirements. The ATO will submit a copy of an approved business case to the RECO for all technical space. The RECO will assist the LOB with the business case by providing limited market information.

A limited market survey is used for assisting the customer in the development of a business case. A limited market survey is basic fact finding, and includes gathering data that answers the following questions:

- Is space available in the delineated area?
- What is the cost per square foot?
- What are the general terms in the surveyed area?

In addition, the customer must provide initial information on their space requirements to the RECO to conduct a limited market survey.

The RECO has the authority to proceed with a full market survey only after receiving a copy of the approved business case for all new space acquisition, either technical or administrative. The RECO must place a copy of the approved business case in the lease documentation file.

There is one exception to this requirement for an approved business case. In the case of an emergency, which creates an immediate threat to the life or safety of FAA employees, such as a fire or an earthquake, the requesting servicing organization can contact the RECO to proceed immediately with a full market survey.

The business case must not identify a pre-selected location when the intent is to procure the requirements using competitive method. If a business case identifies a specific site location when competition is available within the geographically delineated area, the RECO must notify the customer that the AMS policy requires a RECO to use competition when available.

Full Market Survey

Once a copy of an approved business case is received by the RECO, a “full” market survey is conducted by the RECO with their customer. Prior to initiating a full market survey for a new space requirement, the RECO and the customer must determine space requirements such as square footage, security, parking, electrical, data/telephone and any special build-out requirements. Time frames must be established for the acquisition of the space and a delineated geographic area must be identified. The RECO will conduct a full market survey based upon the requirements received from the customer including receiving a zero dollar purchase request.

The RECO will request funding from the customer to ensure that the RECO and customer are able to participate fully in the market survey process. However, if funding is not available, the RECO must send a copy of the space market survey form to the potential lessor(s) to fill in the required information and either by fax or e-mail a completed copy to the RECO within 5 business days from the date the RECO sent the request to the potential lessor(s).

New or Succeeding Lease Market Survey

With respect to the acquisition of new or succeeding space leases, a full market survey must be conducted. This ensures that the RECO leases space that meets the FAA’s requirements and is in the FAA’s best interest. As mentioned above, the RECO needs to receive a copy of an approved business case with a zero dollar purchase request in order to proceed with a full market survey.

The following are guidelines for performing a full market survey for new or succeeding space:

- The RECO must check if other government space is available for occupancy prior to initiating a market survey. Your local General Services Administration (GSA) point of contact is one potential source for such information.
- The RECO must ask the customer/facility manager if he/she has developed information concerning space available in the geographic delineated area. If so, the RECO must request specific points of contact and follow up with the named individuals/companies. If possible, the RECO must physically canvas the geographic delineated area for space offerings, and listings of competing space by looking for vacancy signs, or reviewing the available real estate listings as published in the local paper serving the geographic delineated area. An on-site market survey visit is important in both a competitive and single source acquisition. However, if the RECO is unable to attend the on-site market survey, the RECO must fax or e-mail the market survey form to the potential lessor(s) to fill in and contact the customer to visit the site with the form, if possible.
- Communicate with other RECOs and review existing files to determine if there have been other recent surveys (e.g. within the last 6 months) completed with respect to the delineated area that may provide points of contact (brokers, property managers and property owners), leads for buildings with available space, or associated information on rent, operating costs, tenant improvements, etc.

- Contact and communicate with other federal agency real estate representatives (GSA, Corps of Engineers, etc.) to see if they have completed recent surveys or lease negotiations in the geographic delineated area.
- The RECO is recommended to use Loopnet or GSASales.gov or other market tools to gather data. These tools are extremely helpful when the RECO is gathering limited market information.

Renewal and Small Lease Market Survey

It should be noted that a copy of an approved business case is **not** required for lease renewals; however, the RECO should receive a continuing need statement before proceeding with a lease renewal and a small lease process including a zero dollar purchase request. This statement should include sufficient and verifiable justification that the requirement for the space is ongoing. The amount of work required to perform a full market survey relates directly to the complexity and size of the lease requirement. For a renewal lease or a small lease (3,000 square foot or less) a full market survey is not required. However, as mentioned above a limited market information gathering must be conducted by 3 or more telephone calls to owners of potential sites located within the delineated area to evaluate present market conditions. This would be sufficient information for the RECO's assessment. The RECO must document the lease file with the limited market information.

It should be noted that a RECO must conduct a full market survey when a lease has expired and a continuing need statement indicates requirements to remain at the existing location. This is considered a succeeding space lease.

Market Survey Form

For all new or succeeding space leases the RECO **must** use the 2.6.10 Space Market Survey Form when conducting a full market survey. For all lease renewals or small lease acquisition, the RECO is recommended to use the market survey form or provide a document to the lease file indicating the market data gathered. A completed Space Market Survey form(s) must be placed in the lease contract file for each location.

- The RECO must request a block plan from the potential lessor(s) (owner or owner representative) outlining the space being offered. This plan will assist the RECO and customer in determining if the potential lessor(s) can meet the requirements of the FAA.
- The space form will be completed by the RECO (part I-III) and the potential lessor(s) (part IV-V). When the RECO is conducting a market survey, part of the form can be given to the potential lessor(s) to fill in onsite, or it may be sent to a potential lessor(s) to fill in sections VI-VII. This information will assist the RECO and the customer to decide the acceptability of the space for further consideration.
- If the RECO is unable to attend the market survey, the potential lessor(s) must fill in the form. Then the potential lessor(s) must send back the completed form to the RECO either by fax or e-mail to the RECO within 5 business days from the date the RECO sent the form to the potential lessor(s).

Developing a List of Potential Lessors to whom FAA's Requirements will be provided

Once a full market survey is completed and the market information has been collected, the RECO must determine a reasonable range for rents, anticipated operating expenses and tenant improvement allowances for potential space that meets the customer's needs. This information forms the basis for discussions with potential lessors. The market survey is a vital tool for the RECO to use to determine the price reasonableness of offers that are otherwise likely to qualify for an award based upon the FAA's requirements. The market survey is essential for making a determination of the fair market value (FMV) of the rent and the FMV of asset under lease. Such a determination is necessary in both competitive and single source acquisitions.

The RECO must send the customer a written notification of the selected potential lessor(s) within the competitive range. This will give the customer notice of the potential lessor receiving a Solicitation For Offer (SFO).

Red Line Content: Real Estate Guidance :

Section 2.2.5 : Advertising/Market Survey and Appraisal

Advertising-: If advertising is to be accomplished, the ~~RECO shall~~ Real Estate Contracting Officer (RECO) shall utilize the publicizing method most likely to result in receipt of offers appropriate to satisfy the specific requirement. The content of the advertisement is at the discretion of the RECO. ~~Advertisements in~~ In most cases, advertisements will be in local newspapers. ~~Advertisements may also be placed~~ Also, and advertisements may include commercial trade journals, electronic bulletin boards, and the Commerce Business Daily. Multiple advertising may be utilized, if necessary. If ~~advertising~~ the RECO ~~should place~~ chooses to in advertise, the RECO shall place the largest circulation in the ~~geographic delineated~~ geographic delineated area and include placement on the days when the "Real Estate" Section is published.

Advertising is not required when the RECO determines that it is not warranted, or reasonable competition can be achieved. Data from an advertisement or market survey may be used to determine the competitive range.

Market Survey-: A market survey is a tool used to help the ~~Real Estate Contracting Officer~~ (RECO) determine ~~what~~ the ~~"new"~~ following ~~space~~ when ~~meets~~ leasing a space:

- the FAA's needs and requirements;
- determines ~~The survey helps the RECO determines~~ the fair market rental value and the ~~fair~~ rental market ~~price, rent and~~ price, rent and
- allows for ~~a new lease or a~~ the determination of the competitive lease range.

A renewal, market survey must be conducted in both competitive and it determines reasonable rental single source space acquisitions price for The all market new, survey succeeding, is essential to the renewal or small space RECO lease.

Market Information for determining a Business Case

Under the Space fair market value Council Administrative Space Standard Operating Procedures, all lines of the business space/building are being leased as well as the fair market required to submit a copy of an approved rent business. This is necessary for both competitive and single source acquisitions case to the RECO for all new administrative space requirements. Some Lines The of Business require the development ATO will submit a copy of an approved business case prior to approving any new space the RECO for all leases technical space. If The RECO will assist the customer has not yet received approval for a new LOB with the business case by providing limited market office information.

A or to relocate an limited market survey is existing used for office, assisting a limited market survey is the customer in the development appropriate of a business case. A limited market survey is basic fact finding, and includes gathering data that answers the following questions: 1-)

- Is space available in the delineated area? 2-)
- What is the cost per square foot? 3-)
- What are the general terms in the surveyed area? 4-)

In For addition, the customer must provide initial information on their space requirements to the RECO to conduct a limited market survey.

The RECO has the authority to proceed with a full market survey only after receiving a copy of the approved business case for all new space acquisition, renewal and small either technical or space administrative. The RECO must place a copy of the approved business case in the lease documentation file.

There is one exception to this requirement for an approved business case. In the RECO case must of use an emergency, which creates an immediate threat to the life or 2 safety of FAA employees, such as a fire or an earthquake, the requesting servicing organization can contact the RECO to proceed immediately with a full market survey. 6

The business case must not identify a pre-selected location when the intent is to procure the requirements using competitive method. 12 Space Market Survey If a business Form case identifies a specific site location when competition is available within the geographically delineated area, the RECO must notify the customer that the AMS This policy form requires a RECO to use competition when available.

must Full Market Survey

Once be placed in the lease contract a copy of an approved business file case is received starting September 30 by the RECO, 2006a "full" market survey is conducted by the RECO with their

customer. -Prior to initiating a full market survey for a new space requirement, the RECO and the customer must determine space requirements such as square footage, security, parking, electrical, data/~~tele~~telephone and any special build-out requirements. ~~Timeframes~~Time frames must be established for the acquisition of the space and a delineated geographic area must be identified. ~~Renewal and Small Lease Market~~The RECO will conduct Survey a full market survey based upon the requirements received from the customer including receiving a zero dollar purchase request.

The ~~amount of work~~RECO will request required funding from the customer to perform a market survey ~~relates~~ensure that the RECO and directly customer are able to participate fully in the complexity and market survey size ~~process.~~ of ~~However, if funding is not available,~~ the lease RECO requirement. must ~~For send~~ a renewal copy lease or small of the space lease market survey form to the potential lessor (3,000s) to fill in the required information and ~~either~~ by fax or ~~less~~ e-mail a ~~complicated survey is not~~ completed copy to the required RECO such as a few telephone calls to evaluate market conditions within 5 business days from the date the RECO sent ~~are~~ the request ~~probably to~~ sufficient the potential lessor(s).

New or Succeeding Lease Market Survey

For all With respect to the acquisition of new or succeeding space leases, ~~more information is required to~~ a full market survey must ~~ensure~~ be conducted. This ensures that the RECO leases space that meets the FAA's requirements and is the best in value ~~the~~ to FAA's the customer best interest. As ~~The mentioned~~ following above, are guidelines for performing the RECO needs to receive a market survey for copy of an new approved business case with a zero dollar purchase request in order to ~~Reminder: proceed~~ you should check with with a full market ~~General~~ survey.

The Services Administration ~~following are~~ (GSA) guidelines to for see performing a full market survey for new or succeeding space:

- The RECO must check if other government space is available for occupancy prior to initiating a market survey. — Your local General Services Administration (GSA) point of contact is one potential source for such information.
- The RECO ~~should~~ must ask the customer/facility manager if he/she has developed any information ~~leads~~ concerning space available in the geographic delineated area. If so, the RECO must ~~can~~ request specific points of contact and follow up ~~on these~~ with the leads named individuals/companies. If possible, the RECO must physically canvas the geographic delineated area for space offerings, and listings of competing space; by looking for vacancy signs, or looking in reviewing the newspaper. A available ~~can~~ can ~~also be performed by phone if you~~ real estate listings as published in the local paper ~~can't~~ serve ~~travel to the~~ the geographic delineated area. An on-site market survey visit is important in both a competitive and single source acquisitions acquisition. - However, if the RECO is unable to attend the on-site market survey, the RECO must fax or e-mail the market survey form to the potential lessor(s) to fill in and contact the customer to visit the site with the form, if possible.
- Talk Communicate with other RECOs and review your own existing files to determine if there have been other recent surveys (e.g. within the last ~~six~~ 6 months) completed in with

respect to the delineated area that may provide points of contact (brokers, property mfrs, managers and #160;-property owners), leads for buildings with available space, or associated information on rent, operating costs, tenant improvements, etc.-

- Talk Contact and communicate with other federal agency real estate representatives (GSA, Corps of Engineers, etc.) to see if they have completed recent surveys or lease negotiations in the geographic delineated area.
- The RECO is recommended to use Loopnet or GSASales.gov or other market tools to gather data. These tools are extremely helpful when the RECO is gathering limited market information.

Renewal and Small Lease Market Survey

It should be noted that a copy of an approved business case is not required for lease renewals; however, the RECO should receive a continuing need statement before proceeding with a lease renewal and a small lease process including a zero dollar purchase request. This statement should include sufficient and verifiable justification that bracket the requirement for the space is ongoing. The amount of work required to perform a full market survey relates directly to the complexity and size of the types lease requirement. For a renewal lease or a small lease (3,000 square foot or less) a full market survey is not required. However, as mentioned above a limited market information gathering must be conducted by 3 or more telephone calls to owners of potential sites located within the delineated area to evaluate present market conditions. This would be sufficient information for the RECO's assessment. The RECO must document the lease file with the limited market information.

It should be noted that a RECO must conduct a full market survey when a lease has expired and a continuing need statement indicates requirements to remain at the existing location. This is considered a succeeding space available lease.

Market Survey Form

For all new or succeeding space leases the RECO must use the 2.6.10 Space Market Survey Form when conducting a full market survey. For all lease renewals or small lease acquisition, the RECO is recommended to use the market survey form or provide a document to the lease file indicating the market data gathered. A completed Space Market Survey form(s) must be placed in the lease contract file for each location.

- The RECO must request a block plan from the potential lessor(s) (owner or owner representative) outlining the space being offered. This plan will assist the RECO and customer in determining if the potential lessor(s) can meet the requirements of the FAA.
- The space form will be completed by the RECO (part I-III) and establish the potential lessor(s) (part IV-V). When the RECO is conducting a competitive market range survey, part of the form can be given to the potential lessor(s) to fill in onsite, or it may be sent

to a potential lessor(s) to fill in sections VI-VII. This information will assist the RECO and the customer to decide the acceptability of the space for rentals further consideration.

- If the RECO is unable to attend the market survey, the potential lessor(s) must fill in the form. Then the potential lessor(s) must send back the completed form to the RECO either by fax or e-mail to the RECO within 5 business days from the date the RECO sent the form to the potential lessor(s).

Developing a List of Potential Lessors to whom FAA's Requirements will be provided

Once a full market survey is completed and the market information has been collected, the RECO must determine a typical reasonable range for rents, anticipated operating expenses and tenant improvement allowances for potential space that meets the customer's needs. This information forms the basis for discussions with potential lessors. The market survey determines is a vital tool for the RECO to use to determine the price reasonableness of offers that are otherwise likely to qualify for an award base based upon the FAA's requirements. The market survey is also essential to the contracting for officer for making a determination of the fair market value (FMV) of the rent AND and the FMV of asset under lease. This Such a determination is necessary in both competitive and single source acquisitions.

Appraisal If the The RECO needs to acquire an appraisal for a space must send the customer a written notification of lease, the please selected see potential lessor(s) section within 1-1 the competitive range. 10 Market This Survey/Appraisal will and associated appraisal forms give the customer notice 1.3.11 of the potential lessor receiving a Solicitation Appraisal For Offer Forms (SFO).

-

Section 2.4.11 : Appendix K: Supplemental Lease Agreement (SLA)

Old Content: Real Estate Guidance :

Section 2.4.11 : Appendix K: Supplemental Lease Agreement (SLA)

Supplemental Lease Agreements (SLA) - The RECO **must** use Supplemental Lease Agreement for adding modifications, updates, extensions to existing lease term. The should always include any updated clauses to the base lease. It is recommended not to use the to extend the lease beyond a couple of years. However longer extension should be reviewed and approved by your regional legal counsel.

Criteria for using an:

- Not exceed 20 year authority

- Competition met (i.e. market survey done)
- Not creating a capital lease

Question and Answer

1Q: What if you are only adding 50 square feet, do we need to update the clauses?

A: When adding an SLA you are opening the terms of the lease agreement for negotiation, thus RECO should update clauses when adding square feet. Any exceptions need to be discussed with Regional General Council.

2Q: No cost land leases for 20 years for navigational and communication aids, can we extend the lease adding new current clauses if the lessor is willing to remain at no cost?

A: No-cost land lease are not under the 20 year authority and thus the authority can be exceeded also land lease are usually site specific and would not create a capital lease.

3Q: What about 20 year cost leases for Navigation and Communication aids? Can we extend it a year while we negotiate a new replacement lease?

A: No. SLA would extend the lease beyond our 20 year authority.

4Q: We have a ten (10) year Space lease for SMO, expires this year. Airway Facilities still does not know if they will be directed to close this facility and combine it with another facility. Suggested a one year extension with one year option so we have enough time to work with the lessor to decide what the FAA wants to do. A market study has been completed and there is no other available space for that size. Lessor has agreed verbally and we are in the process of negotiating a price. Can we add an SLA to the existing lease?

A: Yes, as long as all the updated and new space clauses have been included and the lease versus operating form has been completed.

New Content: Real Estate Guidance :

Section 2.4.11 : Appendix K: Supplemental Lease Agreement (SLA)

Supplemental Lease Agreements (SLA) - The RECO **must** use an SLA for adding modifications, updates, extensions to existing lease terms. The SLA must include all updated clauses to the base lease. It is recommended not to use the SLA to extend the lease beyond a couple of years. However, if a longer extension is needed, the SLA must be reviewed and approved by the RECO's regional legal counsel.

Criteria for using an SLA are as follows:

- Not to exceed 20 year authority
- Use of the competitive method, i.e. the RECO conducted a limited market survey
- Not creating a capital lease

Question and Answer

1Q: What if you are only adding 50 square feet, do we need to update the clauses?

A: When adding an SLA, the RECO is opening the terms of the lease agreement for negotiation, thus the RECO should update clauses when adding square feet. Any exceptions need to be discussed with Regional General Counsel.

2Q: If the FAA has a no cost land lease for a term of twenty (20) years for a navigational and communication aid, can the RECO extend the lease adding new current clauses if the lessor is willing to remain at no cost?

A: Yes, no-cost land lease(s) is not under the twenty (20) year authority and thus the term of the lease may be extended.

3Q: What if the FAA has a 20 year cost lease for a navigation and communication aids? Can the RECO extend the lease for a year, while the RECO is negotiating a new replacement lease?

A: No, the SLA would extend the lease beyond the FAA authority to lease only up to twenty (20) years.

4Q: We have a ten (10) year space lease for a District Office (SMO), which expires this year. The customer is still determining their final requirements. The RECO is considering a two (2) year extension with a one (1) year option. The Lessor has agreed verbally to an extension. Can an SLA be added to the existing lease?

A: Yes, as long as all the updated and new space clauses have been included and the lease versus operating form has been completed.

5Q: Should the RECO use an SLA for a change of ownership?

A: A RECO must complete a Vendor Novation to change the vendor association in Prism/Delphi to the new owner/lessor. The RECO must modify the lease with a SLA to change the ownership on the lease document. This can be a unilateral SLA which does not require the lessor's signature.

Red Line Content: Real Estate Guidance :

Section 2.4.11 : Appendix K: Supplemental Lease Agreement (SLA)

Supplemental Lease Agreements (SLA) - The RECO ~~must~~ use ~~Supplemental Lease Agreement~~ an SLA for adding modifications, updates, extensions to existing lease ~~term~~ terms. The ~~should always~~ SLA must include ~~any~~ all updated ~~clauses to the~~ base lease. It is recommended not to use the SLA to extend the lease beyond a couple of years. However, if a longer extension ~~should~~ is needed, the SLA must be reviewed and approved by ~~you~~ the RECO's regional legal counsel.

Criteria for using an SLA are as follows:

- Not to exceed 20 year authority
- ~~Competition met~~ Use of (the competitive method, i.e. the RECO conducted a limited market survey done)
- Not creating a capital lease

Question and Answer

1Q: — What if you are only adding 50 square feet, do we need to update the clauses?

A: — When adding an SLA, ~~you are~~ the RECO is opening the terms of the lease agreement for negotiation, thus the RECO should update clauses when adding square feet. Any exceptions need to be discussed with Regional General ~~Council~~ Counsel.

2Q: — ~~No~~ If the FAA has a no cost land ~~leases~~ lease for a term of twenty (20) years for a navigational and communication ~~aids~~ aid, can ~~we~~ the RECO extend the lease adding new current clauses if the lessor is willing to remain at no cost?

A: — Yes, ~~No~~ no-cost land lease(s) ~~are~~ is not under the twenty (20) year authority and thus the ~~authority can be exceeded~~ term also land of the lease ~~are usually site specific and would not create a capital lease.~~ 3Q: may be extended.

3Q: What if the FAA has a ~~What about~~ 20 year cost ~~leases~~ lease for Navigation a navigation and Communication communication aids? Can ~~we~~ the RECO extend ~~it~~ the a lease for a year, while ~~we~~ the negotiate RECO is negotiating a new replacement lease?

A: — No, the SLA would extend the lease beyond ~~our 20 year~~ the authority.

4Q: — FAA authority to lease only up to twenty (20) years.

4Q: We have a ten (10) year Space space lease for a District Office (SMO), which expires this year. Airway The Facilities customer is still ~~does not know if they will be directed to~~ close determining this facility their final and requirements. ~~combine it with another~~ The RECO is considering facility a ~~Suggested a one~~ two (2) year extension with a one (1) year option. ~~so we have enough time~~ The Lessor has agreed verbally to ~~work~~ an with extension. ~~the~~ Can an SLA be lessor added to ~~decide what the FAA wants to~~ existing ~~do~~ lease?

~~A market study: has Yes, been completed and as long as there all is no other available the updated and new space for that size. Lessor clauses has agreed verbally have been included and we are the in the process of negotiating a price lease versus operating form has been completed.~~

~~5Q: Can Should we the RECO add use an SLA to the existing for a lease change of ownership?~~

~~A: A RECO must complete a Vendor Novation to change the vendor association in Prism/Delphi to the new owner/lessor. The RECO Yes, must as long as modify the lease all with a SLA to change the updated and new space ownership on the lease clauses document. have been included and the lease versus operating form has been This can be a unilateral SLA which does not require the completed lessor's signature.~~

Section 2.4.7 : Appendix G: Security

Old Content: Real Estate Guidance :

Section 2.4.7 : Appendix G: Security

FAA will comply with FAA Orders 1600.69, Facility Security Management Program, 1600.72A, Contractor and Industrial Security Program, and 1600.73, Contractor and Industrial Security Program Operating Procedures. The Order establishes standards, procedures and techniques for the protection of FAA employees, agency property, facilities, contractors, and the public. FAA reserves the right to restrict access to FAA facilities.

1. RECOs should seek consultation support from local Servicing Security Element (SSE) for security issues. The SSE can provide services to RECOs for the following matters: (Revised 10/2003)

- RECOs are encouraged to schedule a meeting between the moving Line of Business (LOB) and the SSE. This should occur as soon as the RECO learns the LOB is moving
- Review client security planning and budgeting
- Support development of the screening information request (SIR) / solicitation for offers (SFO) security requirements (Facility and Personnel)
- Provide security consultation during market survey when required
- Provide, review, and comment of lessor's proposal of security requirements to include examination of lessor's recommended alternatives and/or plans
- Provide recommendations to facility manager when the Security Order is not met
- Provide support to facility manager in formulating requests for exception to security policy prior to lease. (Formal FAA memorandum to AIN-100)
- Provide security technical support to if required during negotiations
- Provide support for Facility acceptance from the lessor
- SSE will conduct facility security assessment after occupancy.

2. Contractor and Industrial Security Facility Program for Leased Facilities (Revised 10/2003)

FAA reserves the right to restrict access to FAA facilities. Depending on the terms of the lease agreement, any person or individual employed or hired by the lessor, or requiring access to perform work or provide services in or upon the leased premises may receive the same level of security investigation requirements as do FAA employees as determined by FAA personnel security specialists.

There is a sequential process by which suitability and security determinations must be completed before any person(s) or individual(s) employed or to be hired by the lessor can perform work or provide services under the terms of the lease agreement. Each step is essential to the process and must be conducted in a specific sequence in order for the process as a whole to succeed. The RECO must be familiar with the process prior to initiating negotiations with the prospective lessor. It is also essential that the RECO work closely with the FAA SSE and the operating office or LOB tenant organization so that the best interests of the Government and the FAA are protected. The primary role of the RECO is to ensure that the security investigative program in leased facilities is established between the lessor and the FAA. Establishing a Contracting Officer Representative (COR) to assist with monitoring and maintaining the security requirements for leased space should be considered. Establishing a Trusted Agent in locations where the SSE is not available to assist with monitoring and maintaining the security requirements for leased space will be required.

Individuals employed or to be hired by the lessor to perform work or provide services in leased space typically fall in low-risk positions. These positions may include janitorial, construction, maintenance, property management, and repair workers. It could also include delivery personnel and repair technicians. The first step in the investigative process is for the operating office or LOB tenant organization to assess the level of access that may be required by the various positions to provide the services specified by the lease. This requires the completion of FAA Form 1600-77, Contractor Position Risk/Sensitivity Level Designation Record [see Order 1600.73 for each type position]. The RECO should assist as needed in completion of the 1600-77 by the LOB tenant organization for submission to the FAA SSE. The SSE will determine the risk level and possible exemptions for each type of position and so advise the RECO and the LOB.

During negotiations and prior to lease award the RECO needs to ensure that the lessor understands the requirement for the security investigations and takes time to review the prescribed lease clause and lease performance expectations. The types of positions required to meet the terms of the lease should be confirmed with the lessor during negotiations.

The prescribed standard clause, V. Section E –Security Requirements (December 2006), Security Screening of Persons or Individuals Employed or Hired by Lessor/Contractor (April 2003), Attachment A, used in all new leases where the lessor, or person(s) and individual(s) employed or hired by the lessor will perform work or provide services in or upon the premises leased by the Government.

The RECO will coordinate with the FAA SSE to obtain the following personnel security information forms for non-exempt positions:

- a. FD-258, FBI Fingerprint Card. Fingerprints will be taken by those individuals who have been identified, as either a Trusted Agent or a Personal Identity Verification (PIV) Registrar (SSE).
- b. SF 85P, Questionnaire for Public Trust Position, as designated by the FAA Form 1600-77.
- c. DOT Form 1681, Card/Credential Application, needed to obtain PIV card.
- d. Form I-9, Employment Eligibility Verification.

In locations where the contractor employee can not go to the FAA SSE office, a Trusted Agent will have to be appointed to perform the duties of the SSE's Registrar. The Trusted Agent needs to be someone on location and can be an FAA or contractor employee. The Trusted Agent will also go thru the background suitability investigation process. The purpose of the Trusted Agent position is to verify the applicants identity with two forms of identification that are listed on the I-9 Form and to take fingerprints when needed.

The RECO will send the forms to the lessor with instructions that they are to be completed by each employee within five (5) business days, not to exceed a maximum of 30 days after acceptance and execution of the lease or modification. The completed forms are to be returned to the FAA SSE or the Trusted Agent, and then sent in a sealed envelope containing a memorandum identifying the name of the lessor, address and FAA lease contract number of the premises leased, and list the full names (alphabetically), social security numbers, date and place of birth (city, state or country), and position title of all person(s) or individual(s) employed or to be hired by the lessor to perform work or provide services in or upon the leased premises for both exempted and non-exempted positions. The contractor employees will be required to take pictures (passport photo-type) or send them in jpeg format to the SSE. The employee(s) will also have the registrar or Trusted Agent verify their identity and complete their portion of the I-9 Form, and take their fingerprints. Non-exempt positions will require some or all of the forms above for investigative screening by the FAA SSE. The operating office or LOB tenant organization occupying the FAA leased premises will be responsible for funding the costs for security screenings for all persons or individuals employed or hired by the lessor, with the exception of fingerprinting. The lessor will be responsible for all expenses associated with fingerprinting any person(s) or individual(s) employed or to be hired by the lessor.

The FAA SSE must conduct the security screening investigation for those persons and individuals identified and employed by the lessor. The FAA SSE will notify the lessor (through the designated Government representative) of any individuals determined to be unsuitable for access to the leased premises. The lessor will be required to immediately remove any unsuitable persons or individuals from the leased premises and not permit the individual to perform any work or provide any services under the terms of the lease.

The FAA shall request, upon lease award or contract modification, the lessor to provide the required information prior to FAA occupying the leased premises. The lessor will be directed to notify within five (5) business days, the designated FAA representative of any persons or

individuals newly hired or currently employed during the term of the lease. Newly hired persons or individuals currently employed by the Lessor must be escorted at all times until background investigations are completed.

The FAA SSE has determine if any person or individual employed or hired by the lessor is exempted from the investigative screening that person shall be escorted at all times in or upon the leased premises by FAA personnel located on-site or by an individual or person employed or hired by the lessor, who has been properly investigated, favorably adjudicated, and authorized to escort exempted individuals. The escort must keep the escort-required contractor employees or other persons in plain view at all times. The lessor shall provide to the designated Government representative the full names (alphabetically), social security numbers, and date and place of birth (city, state or country) of all exempted personnel to be escorted while performing work or services in or upon the leased premises.

Foreign Nationals: All persons or individuals employed or to be hired by the lessor to perform work or provide services in or upon the leased premises shall be a citizen of the United States of America, or an alien who has been lawfully admitted for permanent residence as evidenced by Alien Registration Receipt Card Form I-151, or who presents other evidence from the United States Immigration and Naturalization Service that employment will not affect his/her immigration status. Aliens and foreign nationals who perform work or provide services under the terms of the lease must meet the following conditions in accordance with FAA Order 1600.72A, chapter 5, paragraph 7 & 8.

- a. Must have resided within the United States for three (3) years of the last five (5) years unless a waiver of this requirement is requested and approved in accordance with the requirements stated in FAA Order 1600.72A, chapter 5, paragraph 9;
- b. A risk or sensitivity level designation has been completed for the position; and
- c. The appropriate security screening has been conducted.

Interim suitability requirements may not be applied unless the position is low/moderate in risk, and/or temporary, and/or is not in a critical area position.

The standard clause and alternate clause prescriptions include language for aliens and foreign nationals employed or hired by the lessor.

The lessor will have an ongoing requirement to advise the RECO, or the designated Government representative, of changes to the lessor/contractor list. The contractor must notify CO within one business day after an employee has been terminated from the contract. The contractors are also responsible for immediately notifying the SSE if a Contractor employee is arrested for any reason other than minor traffic offenses. Quarterly/bi-annual reports to the CO and SSE are required on or before the 5th business day following each reporting period. These listings must include a complete alphabetical listing of current employees working on the contract, and a separate list of terminated employees. The RECO must coordinate with the SSE, the LOB tenant

and the lessor on an ongoing basis. The RECO should, whenever possible, delegate day to day management of the contractor security program at a leased facility to a responsible on-site representative.

When others contract for services (e.g., janitorial, construction, maintenance, etc) separately for FAA leased premises, personnel security investigations shall also be conducted. It is the responsibility of the Contracting Officer (CO) for that service contract to coordinate with the SSE and LOB tenant organization regarding contractor screenings. In accordance with FAA Order 1600.72, paragraph 204, the operating office or LOB tenant organization occupying the FAA-leased space will be responsible for funding the costs for security screenings for all person or individuals employed or hired by the lessor.

If FAA occupies GSA controlled leased space, the designated FAA representative will request GSA to include the prescribed FAA security clause in the GSA lease requirements. GSA will be responsible for conducting the security investigations on any person or individual employed or hired by the GSA lessor to perform work or provide services in or upon premises occupied by FAA personnel. Funding for security screenings in GSA controlled space are covered under the GSA rental costs, unless FAA requires a higher level of security than the standard established by the GSA Building Security Committee, or if current FAA occupancy agreements with GSA require something different than the standard established.

Sensitive Unclassified information (SUI) must be restricted to specific contractors who: have a “need to know” to perform contract tasks, meet personnel suitability requirements to access sensitive information, and successfully complete a non-disclosure agreement (NDA). The contractor must develop and implement procedures to ensure that sensitive information is handled within accordance with FAA requirements and at a minimum, must address

- a. Steps to minimize risk of access by unauthorized persons during business and non-business hours to include storage capability.
- b. Procedures for safeguarding during electronic transmission (voice, data, fax) mailing or hand carrying.
- c. Procedures for protecting against co-mingling of information with general contractor data system/files.
- d. Procedures for marking documents with both the protective marking and the distribution limitation statement as needed.
- e. Procedures for the reproduction of subject material.
- f. Procedures for reporting unauthorized access.
- g. Procedures for the destruction and/or sanitation of such material.

Government Issued Keys, Personal Identity Verification (PIV) cards, and Vehicle Decals may be issue to contractor employees. Prior to or upon completion/termination of work the contractor must return all Government issued items to the issuing office. When employees are terminated or are no longer required the work, the Government issued items must be returned to the Government within three (3) business days or upon termination of the contract or employee. Improper use, possession, or alteration of FAA issued keys, PIV cards and/or vehicle decals is subject to penalties under Title 18, USC 499, 506, and 701.

In the event that the Government-Issued items are not returned the contractors understands and agrees that the Government may, in addition to any other withholding provision of the contract with hold [CO to enter appropriate amount] for each key, PIV card, and vehicle decal not returned. If such items are not returned within 30 calendar days from the date the withholding action was initiated, any amount withheld must be forfeited by the contractor.

New Content: Real Estate Guidance :
Section 2.4.7 : Appendix G: Security

The FAA will comply with FAA Orders: 1) 1600.69, Facility Security Management Program, and 2) 1600.72A, Contractor and Industrial Security Program, and 3) 1600.73, Contractor and Industrial Security Program Operating Procedures. These FAA Orders establishes standards, procedures and techniques for the protection of FAA employees, agency personal property, and security of the FAA facilities (leased or owned), contractors, and the public. Under these FAA Orders mentioned above, the FAA reserves the right to restrict access to FAA facilities.

1. The RECOs should seek consultation support from the local Servicing Security Element (SSE) for security issues for all new, succeeding or renewal lease location. The SSE contacts in the Region are as follows: AXX-710's, AMS-700, and AWA AIN-100.

2. During the Pre-Award process, the RECO needs to work with the SSE in meeting the end users requirements. Below are the processes to be followed and the services to be provided by the SSE to the RECOs for all new or existing locations.

- Schedule a meeting between the end user, i.e. the Line of Business (LOB), the RECO and the SSE. If the end user is moving to a new location the RECO should work with the SSE as soon as they learn the end user is moving.
 - During the meeting the RECO, the end user and the SSE should discuss the following:
 - Review the end user security planning and budgeting.
 - Review the solicitation for offers (SFO) security requirements (Facility and Personnel) and provide additional requirements as needed.
 - The SSE should provide the baseline Facility Security protective measures, which match the security level with the facility. This is an

opportunity for the SSE to ask questions to the RECO or the end user to assist in the determination of the security requirements for the SFO by determining the security level. Below are the types of questions that may be asked by the SSE.

- What is the physical address location(s) [if known such as a renewal lease] of the prospective lease sites?
 - What types of FAA work functions will the leased space accommodate/perform?
 - How many FAA personnel will there be at the facility? What will be the maximum/peak number of FAA personnel at the facility at shift change?
 - Will this be a 24/7 facility?
 - How many parking spaces required?
 - Are there any other government tenants at the facility being considered? If so, would any of them be considered “high risk”? The RECO can check with the SSE to determine the “high risk” status of the other federal tenants.
 - Is this is an ATC facility? What is the ATC facility level rating?
 - If this is an ATC facility will there be a requirement for a childcare, credit union, or other services offered by the FAA at the facility?
- Provide security consultation during the market survey when required.
 - Provide, review, and comment of lessor’s proposal of security requirements to include examination of lessor's recommended alternatives and/or plans.
 - Provide support to facility manager in formulating requests for exception to security policy prior to lease award. (Formal FAA memorandum to AIN-100)
 - Provide security technical support to the RECO if required during negotiations and evaluations if security is considered evaluation criteria.
 - Provide support to RECO during the space acceptance from the lessor by reviewing the lessors drawings to ensure that the security requirements in the SIR/SFO were met.

3. The SSE can provide the following services after the lease award:

- Provide recommendations to facility manager when the Security Order is not met and examination of lessor's recommended alternatives to meet the FAA Order.
- Conducts facility security assessment after occupancy, which will confirm the lessor is meeting security requirements per the lease. The RECO will provide the SSE with the Lessor’s plans and drawings to assist with the assessment.

4. Contractor and Industrial Security Facility Program for Leased Facilities (Revised 10/2003)

FAA reserves the right to restrict access to FAA facilities. Depending on the terms of the lease agreement, any person or individual employed or hired by the lessor, or requiring access to perform work or provide services in or upon the leased premises may receive the same level of security investigation requirements as do FAA employees as determined by the FAA personnel security specialists.

There is a sequential process by which suitability and security determinations must be completed before any person(s) or individual(s) employed or to be hired by the lessor can perform work or provide services under the terms of the lease agreement. Each step is essential to the process and must be conducted in a specific sequence in order for the process as a whole to succeed. The RECO must be familiar with the process prior to initiating negotiations with the prospective lessor. It is also essential that the RECO work closely with the FAA SSE and the operating office or the LOB tenant organization so that the best interests of the Government and the FAA are protected. The primary role of the RECO is to ensure that the security investigative program in leased facilities is established between the lessor and the FAA. Establishing a Contracting Officer Representative (COR) to assist with monitoring and maintaining the security requirements for leased space should be considered. Establishing a Trusted Agent in locations where the SSE is not available to assist with monitoring and maintaining the security requirements for leased space will be required.

Individuals employed or to be hired by the lessor to perform work or provide services in leased space typically fall in low-risk positions. These positions may include janitorial, construction, maintenance, property management, and repair workers. It may also include delivery personnel and repair technicians. The first step in the investigative process is for the operating office or LOB tenant organization to assess the level of access that may be required by the various positions to provide the services specified by the lease. This requires the completion of FAA Form 1600-77, Contractor Position Risk/Sensitivity Level Designation Record [see Order 1600.73 for each type position]. The RECO should assist as needed in completion of the 1600-77 by the LOB tenant organization for submission to the FAA SSE. The SSE will determine the risk level and possible exemptions for each type of position and advise the RECO and the LOB.

During negotiations and prior to lease award the RECO needs to ensure that the lessor understands the requirement for the security investigations and takes time to review the prescribed lease clauses and lease performance expectations. The types of positions required to meet the terms of the lease should be confirmed with the lessor during negotiations.

The prescribed standard clause, V. Section E –Security Requirements (December 2006), Security Screening of Persons or Individuals Employed or Hired by Lessor/Contractor (April 2003), Attachment A, used in all new leases where the lessor, or person(s) and individual(s) employed or hired by the lessor will perform work or provide services in or upon the premises leased by the Government.

The RECO will coordinate with the FAA SSE to obtain the following personnel security information forms for non-exempt positions:

- a. FD-258, FBI Fingerprint Card. Fingerprints will be taken by those individuals who have been identified, as either a Trusted Agent or a Personal Identity Verification (PIV) Registrar (SSE).
- b. SF 85P, Questionnaire for Public Trust Position, as designated by the FAA Form 1600-77.

c. DOT Form 1681, Card/Credential Application, needed to obtain PIV card.

d. Form I-9, Employment Eligibility Verification. In locations where the contractor employee cannot go to the FAA SSE office, a Trusted Agent will have to be appointed to perform the duties of the SSE's Registrar. The Trusted Agent needs to be someone on location and can be an FAA or contractor employee. The Trusted Agent will also go through the background suitability investigation process. The purpose of the Trusted Agent position is to verify the applicants identity with two forms of identification that are listed on the I-9 Form and to take fingerprints when needed.

The RECO will send the forms to the lessor with instructions that they are to be completed by each employee within five (5) business days, not to exceed a maximum of 30 days after acceptance and execution of the lease or modification. The completed forms are to be returned to the FAA SSE or the Trusted Agent, and then sent in a sealed envelope containing a memorandum identifying the name of the lessor, address and FAA lease contract number of the premises leased, and list the full names (alphabetically), social security numbers, date and place of birth (city, state or country), and position title of all person(s) or individual(s) employed or to be hired by the lessor to perform work or provide services in or upon the leased premises for both exempted and non-exempted positions. The contractor employees will be required to take pictures (passport photo-type) or send them in jpeg format to the SSE. The employee(s) will also have the registrar or Trusted Agent verify their identity and complete their portion of the I-9 Form, and take their fingerprints. Non-exempt positions will require some or all of the forms above for investigative screening by the FAA SSE. The operating office or LOB tenant organization occupying the FAA leased premises will be responsible for funding the costs for security screenings for all persons or individuals employed or hired by the lessor, with the exception of fingerprinting. The lessor will be responsible for all expenses associated with fingerprinting any person(s) or individual(s) employed or to be hired by the lessor.

The FAA SSE must conduct the security screening investigation for those persons and individuals identified and employed by the lessor. The FAA SSE will notify the lessor (through the designated Government representative) of any individuals determined to be unsuitable for access to the leased premises. The lessor will be required to immediately remove any unsuitable persons or individuals from the leased premises and not permit the individual to perform any work or provide any services under the terms of the lease.

The FAA shall request, upon lease award or contract modification, the lessor to provide the required information prior to FAA occupying the leased premises. The lessor will be directed to notify within five (5) business days, the designated FAA representative of any persons or individuals newly hired or currently employed during the term of the lease. Newly hired persons or individuals currently employed by the Lessor must be escorted at all times until background investigations are completed.

The FAA SSE has determine if any person or individual employed or hired by the lessor is exempted from the investigative screening that person shall be escorted at all times in or upon the leased premises by FAA personnel located on-site or by an individual or person employed or hired by the lessor, who has been properly investigated, favorably adjudicated, and authorized to

escort exempted individuals. The escort must keep the escort-required contractor employees or other persons in plain view at all times. The lessor shall provide to the designated Government representative the full names (alphabetically), social security numbers, and date and place of birth (city, state or country) of all exempted personnel to be escorted while performing work or services in or upon the leased premises.

Foreign Nationals: All persons or individuals employed or to be hired by the lessor to perform work or provide services in or upon the leased premises shall be a citizen of the United States of America, or an alien who has been lawfully admitted for permanent residence as evidenced by Alien Registration Receipt Card Form I-151, or who presents other evidence from the United States Immigration and Naturalization Service that employment will not affect his/her immigration status. Aliens and foreign nationals who perform work or provide services under the terms of the lease must meet the following conditions in accordance with FAA Order 1600.72A, chapter 5, paragraph 7 & 8.

- a. Must have resided within the United States for three (3) years of the last five (5) years unless a waiver of this requirement is requested and approved in accordance with the requirements stated in FAA Order 1600.72A, chapter 5, paragraph 9;
- b. A risk or sensitivity level designation has been completed for the position; and
- c. The appropriate security screening has been conducted.

Interim suitability requirements may not be applied unless the position is low/moderate in risk, and/or temporary, and/or is not in a critical area position.

The standard clause and alternate clause prescriptions include language for aliens and foreign nationals employed or hired by the lessor.

The lessor will have an ongoing requirement to advise the RECO, or the designated Government representative, of changes to the lessor/contractor list. The contractor must notify CO within one (1) business day after an employee has been terminated from the contract. The contractors are also responsible for immediately notifying the SSE if a Contractor employee is arrested for any reason other than minor traffic offenses. Quarterly/bi-annual reports to the CO and SSE are required on or before the 5th business day following each reporting period. These listings must include a complete alphabetical listing of current employees working on the contract, and a separate list of terminated employees. The RECO must coordinate with the SSE, the LOB tenant and the lessor on an ongoing basis. The RECO should, whenever possible, delegate day to day management of the contractor security program at a leased facility to a responsible on-site representative.

When others contract for services (e.g., janitorial, construction, maintenance, etc) separately for FAA leased premises, personnel security investigations shall also be conducted. It is the responsibility of the CO for that service contract to coordinate with the SSE and LOB tenant organization regarding contractor screenings. In accordance with FAA Order 1600.72, paragraph

204, the operating office or LOB tenant organization occupying the FAA-leased space will be responsible for funding the costs for security screenings for all person or individuals employed or hired by the lessor.

If FAA occupies GSA controlled leased space, the designated FAA representative will request GSA to include the prescribed FAA security clause in the GSA lease requirements. GSA will be responsible for conducting the security investigations on any person or individual employed or hired by the GSA lessor to perform work or provide services in or upon premises occupied by FAA personnel. Funding for security screenings in GSA controlled space are covered under the GSA rental costs, unless FAA requires a higher level of security than the standard established by the GSA Building Security Committee, or if current FAA occupancy agreements with GSA require something different than the standard established.

Sensitive Unclassified Information (SUI) must be restricted to specific contractors who: have a “need to know” to perform contract tasks, meet personnel suitability requirements to access sensitive information, and successfully complete a non-disclosure agreement (NDA). The contractor must develop and implement procedures to ensure that sensitive information is handled within accordance with FAA requirements and at a minimum, must address

- a. Steps to minimize risk of access by unauthorized persons during business and non-business hours to include storage capability.
- b. Procedures for safeguarding during electronic transmission (voice, data, fax) mailing or hand carrying.
- c. Procedures for protecting against co-mingling of information with general contractor data system/files.
- d. Procedures for marking documents with both the protective marking and the distribution limitation statement as needed.
- e. Procedures for the reproduction of subject material.
- f. Procedures for reporting unauthorized access.
- g. Procedures for the destruction and/or sanitation of such material.

Government Issued Keys, Personal Identity Verification (PIV) cards, and Vehicle Decals may be issue to contractor employees. Prior to or upon completion/termination of work the contractor must return all Government issued items to the issuing office. When employees are terminated or are no longer required the work, the Government issued items must be returned to the Government within three (3) business days or upon termination of the contract or employee. Improper use, possession, or alteration of FAA issued keys, PIV cards and/or vehicle decals is subject to penalties under Title 18, USC 499, 506, and 701.

In the event that the Government-Issued items are not returned the contractors understands and agrees that the Government may, in addition to any other withholding provision of the contract with hold [CO to enter appropriate amount] for each key, PIV card, and vehicle decal not returned. If such items are not returned within 30 calendar days from the date the withholding action was initiated, any amount withheld must be forfeited by the contractor.

Red Line Content: Real Estate Guidance :
Section 2.4.7 : Appendix G: Security

The FAA will comply with FAA Orders: 1) 1600.69, Facility Security Management Program, and 2) 1600.72A, Contractor and Industrial Security Program, and 3) 1600.73, Contractor and Industrial Security Program Operating Procedures. ~~The Order~~ These FAA Orders establishes standards, procedures and techniques for the protection of FAA employees, agency personal property, and security of the FAA facilities (leased or owned), contractors, and the public. Under these FAA Orders mentioned above, the FAA reserves the right to restrict access to FAA facilities.

1.- The RECOs should seek consultation support from the local Servicing Security Element (SSE) for security issues for all new, succeeding or renewal lease location. The SSE ~~can provide services to RECOs for~~ contacts in the Region are as the follows: following AXX-710's, matters: AMS-700, (Revised and 10/2003) AWA AIN-100.

RECOs

2. During the Pre-Award process, the RECO needs to work with the SSE in meeting the end users requirements. Below are encouraged the processes to be followed and the services to be provided by the SSE to schedule the RECOs for all new or existing locations.

- Schedule a meeting between the ~~moving~~ end user, i.e. the Line of Business (LOB), the RECO and the SSE. ~~This~~ If the end user is moving to a new location the RECO should ~~occur~~ work with the SSE as soon as ~~the RECO they~~ learns learn the LOB end user is moving.
 - ~~Review client security~~ During the meeting planning the RECO, the end user and ~~budgeting Support~~ the SSE development of should discuss the ~~screening~~ following: information
 - Review request the (SIR) end user security planning and budgeting.
 - Review the solicitation for offers (SFO) security requirements (Facility and Personnel) and provide additional requirements as needed.
 - The SSE should provide the baseline Facility Security protective measures, which match the security level with the facility. This is an opportunity for the SSE to ask questions to the RECO or the end user to assist in the determination of the security requirements for the SFO by determining the security level. Below are the types of questions that may be asked by the SSE.
 - What is the physical address location(s) [if known such as a renewal lease] of the prospective lease sites?

- What types of FAA work functions will the leased space accommodate/perform?
 - How many FAA personnel will there be at the facility? What will be the maximum/peak number of FAA personnel at the facility at shift change?
 - Will this be a 24/7 facility?
 - How many parking spaces required?
 - Are there any other government tenants at the facility being considered? If so, would any of them be considered “high risk”? The RECO can check with the SSE to determine the “high risk” status of the other federal tenants.
 - Is this an ATC facility? What is the ATC facility level rating?
 - If this is an ATC facility will there be a requirement for a childcare, credit union, or other services offered by the FAA at the facility?
- Provide security consultation during the market survey when required.
 - Provide, review, and comment of lessor’s proposal of security requirements to include examination of lessor's recommended alternatives and/or plans Provide recommendations to facility manager when the Security Order is not met.
 - Provide support to facility manager in formulating requests for exception to security policy prior to lease award. (Formal FAA memorandum to AIN-100)
 - Provide security technical support to the RECO if required during negotiations and evaluations if security is considered evaluation criteria.
 - Provide support for to Facility RECO during the space acceptance from the lessor by reviewing the lessors drawings to ensure that the security requirements in the SIR/SFO were met.

3. The SSE will can conduct provide the following services after the lease award:

- Provide recommendations to facility manager when the Security Order is not met and examination of lessor's recommended alternatives to meet the FAA Order.
- Conducts facility security assessment after occupancy, which will confirm the lessor is meeting security requirements per the lease. The RECO will provide the SSE with the Lessor’s plans and drawings to assist with the assessment.

24. Contractor and Industrial Security Facility Program for Leased Facilities (Revised 10/2003)

FAA reserves the right to restrict access to FAA facilities. Depending on the terms of the lease agreement, any person or individual employed or hired by the lessor, or requiring access to perform work or provide services in or upon the leased premises may receive the same level of security investigation requirements as do FAA employees as determined by the FAA personnel security specialists.

There is a sequential process by which suitability and security determinations must be completed before any person(s) or individual(s) employed or to be hired by the lessor can perform work or provide services under the terms of the lease agreement. Each step is essential to the process and

must be conducted in a specific sequence in order for the process as a whole to succeed. The RECO must be familiar with the process prior to initiating negotiations with the prospective lessor. It is also essential that the RECO work closely with the FAA SSE and the operating office or the LOB tenant organization so that the best interests of the Government and the FAA are protected. The primary role of the RECO is to ensure that the security investigative program in leased facilities is established between the lessor and the FAA. Establishing a Contracting Officer Representative (COR) to assist with monitoring and maintaining the security requirements for leased space should be considered. Establishing a Trusted Agent in locations where the SSE is not available to assist with monitoring and maintaining the security requirements for leased space will be required.

Individuals employed or to be hired by the lessor to perform work or provide services in leased space typically fall in low-risk positions. These positions may include janitorial, construction, maintenance, property management, and repair workers. It ~~could~~ may also include delivery personnel and repair technicians. The first step in the investigative process is for the operating office or LOB tenant organization to assess the level of access that may be required by the various positions to provide the services specified by the lease. This requires the completion of FAA Form 1600-77, Contractor Position Risk/Sensitivity Level Designation Record [see Order 1600.73 for each type position]. The RECO should assist as needed in completion of the 1600-77 by the LOB tenant organization for submission to the FAA SSE. The SSE will determine the risk level and possible exemptions for each type of position and ~~se~~ advise the RECO and the LOB.

During negotiations and prior to lease award the RECO needs to ensure that the lessor understands the requirement for the security investigations and takes time to review the prescribed lease ~~clause~~ clauses and lease performance expectations. The types of positions required to meet the terms of the lease should be confirmed with the lessor during negotiations.

The prescribed standard clause, V. Section E –Security Requirements (December 2006), Security Screening of Persons or Individuals Employed or Hired by Lessor/Contractor (April 2003), Attachment A, used in all new leases where the lessor, or person(s) and individual(s) employed or hired by the lessor will perform work or provide services in or upon the premises leased by the Government.

The RECO will coordinate with the FAA SSE to obtain the following personnel security information forms for non-exempt positions:

- a. FD-258, FBI Fingerprint Card. Fingerprints will be taken by those individuals who have been identified, as either a Trusted Agent or a Personal Identity Verification (PIV) Registrar (SSE).
- b. SF 85P, Questionnaire for Public Trust Position, as designated by the FAA Form 1600-77.
- c. DOT Form 1681, Card/Credential Application, needed to obtain PIV card.

d. Form I-9, Employment Eligibility Verification.-In locations where the contractor employee ~~can not~~cannot go to the FAA SSE office, a Trusted Agent will have to be appointed to perform the duties of the SSE's Registrar. The Trusted Agent needs to be someone on location and can be an FAA or contractor employee. The Trusted Agent will also go ~~thru~~through the background suitability investigation process. The purpose of the Trusted Agent position is to verify the applicants identity with two forms of identification that are listed on the I-9 Form and to take fingerprints when needed.

The RECO will send the forms to the lessor with instructions that they are to be completed by each employee within five (5) business days, not to exceed a maximum of 30 days after acceptance and execution of the lease or modification. The completed forms are to be returned to the FAA SSE or the Trusted Agent, and then sent in a sealed envelope containing a memorandum identifying the name of the lessor, address and FAA lease contract number of the premises leased, and list the full names (alphabetically), social security numbers, date and place of birth (city, state or country), and position title of all person(s) or individual(s) employed or to be hired by the lessor to perform work or provide services in or upon the leased premises for both exempted and non-exempted positions. The contractor employees will be required to take pictures (passport photo-type) or send them in jpeg format to the SSE. The employee(s) will also have the registrar or Trusted Agent verify their identity and complete their portion of the I-9 Form, and take their fingerprints. Non-exempt positions will require some or all of the forms above for investigative screening by the FAA SSE. The operating office or LOB tenant organization occupying the FAA leased premises will be responsible for funding the costs for security screenings for all persons or individuals employed or hired by the lessor, with the exception of fingerprinting. The lessor will be responsible for all expenses associated with fingerprinting any person(s) or individual(s) employed or to be hired by the lessor.

The FAA SSE must conduct the security screening investigation for those persons and individuals identified and employed by the lessor. The FAA SSE will notify the lessor (through the designated Government representative) of any individuals determined to be unsuitable for access to the leased premises. The lessor will be required to immediately remove any unsuitable persons or individuals from the leased premises and not permit the individual to perform any work or provide any services under the terms of the lease.

The FAA shall request, upon lease award or contract modification, the lessor to provide the required information prior to FAA occupying the leased premises. The lessor will be directed to notify within five (5) business days, the designated FAA representative of any persons or individuals newly hired or currently employed during the term of the lease. Newly hired persons or individuals currently employed by the Lessor must be escorted at all times until background investigations are completed.

The FAA SSE has determine if any person or individual employed or hired by the lessor is exempted from the investigative screening that person shall be escorted at all times in or upon the leased premises by FAA personnel located on-site or by an individual or person employed or hired by the lessor, who has been properly investigated, favorably adjudicated, and authorized to escort exempted individuals. The escort must keep the escort-required contractor employees or other persons in plain view at all times. The lessor shall provide to the designated Government

representative the full names (alphabetically), social security numbers, and date and place of birth (city, state or country) of all exempted personnel to be escorted while performing work or services in or upon the leased premises.

Foreign Nationals: All persons or individuals employed or to be hired by the lessor to perform work or provide services in or upon the leased premises shall be a citizen of the United States of America, or an alien who has been lawfully admitted for permanent residence as evidenced by Alien Registration Receipt Card Form I-151, or who presents other evidence from the United States Immigration and Naturalization Service that employment will not affect his/her immigration status. Aliens and foreign nationals who perform work or provide services under the terms of the lease must meet the following conditions in accordance with FAA Order 1600.72A, chapter 5, paragraph 7 & 8.

- a. Must have resided within the United States for three (3) years of the last five (5) years unless a waiver of this requirement is requested and approved in accordance with the requirements stated in FAA Order 1600.72A, chapter 5, paragraph 9;
- b. A risk or sensitivity level designation has been completed for the position; and
- c. The appropriate security screening has been conducted.

Interim suitability requirements may not be applied unless the position is low/moderate in risk, and/or temporary, and/or is not in a critical area position.

The standard clause and alternate clause prescriptions include language for aliens and foreign nationals employed or hired by the lessor.

The lessor will have an ongoing requirement to advise the RECO, or the designated Government representative, of changes to the lessor/contractor list. The contractor must notify CO within one (1) business day after an employee has been terminated from the contract. The contractors are also responsible for immediately notifying the SSE if a Contractor employee is arrested for any reason other than minor traffic offenses. Quarterly/bi-annual reports to the CO and SSE are required on or before the 5th business day following each reporting period. These listings must include a complete alphabetical listing of current employees working on the contract, and a separate list of terminated employees. The RECO must coordinate with the SSE, the LOB tenant and the lessor on an ongoing basis. The RECO should, whenever possible, delegate day to day management of the contractor security program at a leased facility to a responsible on-site representative.

When others contract for services (e.g., janitorial, construction, maintenance, etc) separately for FAA leased premises, personnel security investigations shall also be conducted. It is the responsibility of the ~~Contracting Officer (CO)~~ for that service contract to coordinate with the SSE and LOB tenant organization regarding contractor screenings. In accordance with FAA Order 1600.72, paragraph 204, the operating office or LOB tenant organization occupying the

FAA-leased space will be responsible for funding the costs for security screenings for all person or individuals employed or hired by the lessor.

If FAA occupies GSA controlled leased space, the designated FAA representative will request GSA to include the prescribed FAA security clause in the GSA lease requirements. GSA will be responsible for conducting the security investigations on any person or individual employed or hired by the GSA lessor to perform work or provide services in or upon premises occupied by FAA personnel. Funding for security screenings in GSA controlled space are covered under the GSA rental costs, unless FAA requires a higher level of security than the standard established by the GSA Building Security Committee, or if current FAA occupancy agreements with GSA require something different than the standard established.

Sensitive Unclassified ~~information~~**Information** (SUI) must be restricted to specific contractors who: have a “need to know” to perform contract tasks, meet personnel suitability requirements to access sensitive information, and successfully complete a non-disclosure agreement (NDA). The contractor must develop and implement procedures to ensure that sensitive information is handled within accordance with FAA requirements and at a minimum, must address

- a. Steps to minimize risk of access by unauthorized persons during business and non-business hours to include storage capability.
- b. Procedures for safeguarding during electronic transmission (voice, data, fax) mailing or hand carrying.
- c. Procedures for protecting against co-mingling of information with general contractor data system/files.
- d. Procedures for marking documents with both the protective marking and the distribution limitation statement as needed.
- e. Procedures for the reproduction of subject material.
- f. Procedures for reporting unauthorized access.
- g. Procedures for the destruction and/or sanitation of such material.

Government Issued Keys, Personal Identity Verification (PIV) cards, and Vehicle Decals may be issue to contractor employees. Prior to or upon completion/termination of work the contractor must return all Government issued items to the issuing office. When employees are terminated or are no longer required the work, the Government issued items must be returned to the Government within three (3) business days or upon termination of the contract or employee. Improper use, possession, or alteration of FAA issued keys, PIV cards and/or vehicle decals is subject to penalties under Title 18, USC 499, 506, and 701.

In the event that the Government-Issued items are not returned the contractors understands and agrees that the Government may, in addition to any other withholding provision of the contract

with hold [CO to enter appropriate amount] for each key, PIV card, and vehicle decal not returned. If such items are not returned within 30 calendar days from the date the withholding action was initiated, any amount withheld must be forfeited by the contractor.

Section 2.2.6 : Request for Offers

Old Content: Real Estate Guidance :

Section 2.2.6 : Request for Offers

RECO will request offers from those in the competitive range.

New Content: Real Estate Guidance :

Section 2.2.6 : Request for Offers/Solicitation for Offers

After the market survey is completed, the RECO will send out the Solicitation for Offerors (SFO) including the proposed lease contract and other attachments outlined in the SFO instructions to those offerors whose space meets FAA requirements and whose prices have been determined initially to be fair and reasonable. The RECO **must** use 2.6.10 the Solicitation for Offer form. The SFO will set forth a detailed statement of FAA's space requirements, including any tenant improvement requirements; will set forth pertinent evaluation criteria and the basis for award; will include a schedule for space delivery; will set forth all statutory and regulatory requirements, such as accessibility, life safety, how disputes will be addressed, and labor wage requirements; and will include such additional provisions as are necessary to ensure that the space is acquired in the best interest of FAA. The SFO should be clear and unambiguous.

Red Line Content: Real Estate Guidance :

Section 2.2.6 : Request for Offers/Solicitation for Offers

After the market survey is completed, the RECO will ~~request~~ send out the Solicitation for Offerors (SFO) including the proposed lease contract and other attachments outlined in the SFO ~~offers from~~ instructions to those offerors whose space meets FAA requirements and whose prices have been determined initially to be fair and reasonable. The RECO must use 2.6.10 the Solicitation for Offer form. The SFO will set forth a detailed statement of FAA's space requirements, including any tenant improvement requirements; will set forth pertinent evaluation criteria and the basis for award; will include a schedule for space delivery; will set forth all statutory and regulatory requirements, such as accessibility, life safety, how disputes

will be addressed, and labor wage requirements; and will include such additional provisions as are necessary to ensure that the space is acquired in the ~~competitive~~ best interest of FAA. The SFO should be clear ~~range~~ and unambiguous.

-

-
